

Jaycee's and Y'All Come Back Saloon – Request for special liquor license, closing of street, and extended hours of sale to 2:00 a.m. for a Street Dance on May 27, 2011

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NEBRASKA LIQUOR
CONTROL COMMISSION

Pollard reported that he thought Glen and Shara Mellor were going to be at the meeting. They would have a street dance on May 27th for ExtraOrdinary Days. Stunkel gave the Council a diagram showing that the street would be closed in front of the Saloon. The Saloon would also like to extend the hours of sale until 2:00 a.m. The Clerk stated that she has received noise complaints from street dances before, and questioned if the band would play until 2:00 a.m. Pollard and Stunkel agreed that the band could quit at 1:00. The Council expressed displeasure that Mellor's are at the meeting to present their request. Following discussion, Council Member Stunkel introduced Ordinance No. 790 entitled:

AN ORDINANCE PERMITTING THE RETAIL SALE OR DISPENSING OF ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES LATER THAN 1:00 A.M. AND PRIOR TO 2:00 A.M. ON MAY 28, 2011; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Krason seconded the motion to suspend the rules and upon roll call vote on the motion, the following Council Members voted YEA: Carson, Krason, Koehlmoos, Petska, Masin, Stunkel. The following voted NAY: None. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Stunkel moved for final passage of the ordinance, which motion was seconded by Council Member Krason. The Mayor then stated the question was "Shall Ordinance No. 790 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Krason, Petska, Masin, Stunkel, Krason. The following voted NAY: Koehlmoos. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as required by law. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 790

AN ORDINANCE PERMITTING THE RETAIL SALE OR DISPENSING OF ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES LATER THAN 1:00 A.M. AND PRIOR TO 2:00 A.M. ON MAY 28, 2011; TO REPEAL ALL ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ORD, NEBRASKA AS FOLLOWS:

1. SECTION 1: That pursuant to Nebraska Revised Statute Section 53-179, the City of Ord hereby grants permission for the retail sale or dispensing of alcoholic liquor for consumption on the premises later than 1:00 a.m. and prior to 2:00 a.m. on May 28, 2011 (Friday, May 27, 2011 extending to 2:00 a.m. May 28, 2011).
2. SECTION 2: That this Ordinance was passed and approved by at lest two-thirds of the members of the Ord City Council.
3. SECTION 3: That all parts of ordinances or resolutions in conflict herewith are hereby repealed.
4. SECTION 4: That this ordinance shall become effective immediately upon and be in full force and effect after its passage, adoption, and publication is provided by law.

Council Member Stunkel then moved to approve a special liquor license application for the Y'All Come Back Saloon as requested for May 27, 2011 extending until 2:00 a.m. on May 28, 2011; to approve the closing of 16th Street in front of the Saloon for a street dance, and stipulating that the band will need to be done playing by 1:00 a.m. Council Member Krason seconded the motion. On roll call vote, the following voted YEA: Petska, Masin, Stunkel, Carson, Krason. NAYS: Koehlmoos. Motion carried.

CERTIFICATION

I, Sandy Kruml, do hereby certify that I am the duly appointed and qualified City Clerk of the City of Ord, Nebraska. I further certify that the attached is a true and correct copy of an excerpt of minutes taken at the regular meeting of the City Council of the City of Ord, Nebraska, held on the 4th day of April, 2011.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the City's Seal to be affixed thereto, this 18th day of April, 2011.

(S E A L)


Sandy Kruml, City Clerk/Treasurer